



UNITED STATES | ENGLAND | GERMANY | CHINA

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August 9, 2007

VIA E-MAIL

Mr. Richard T. Garren
Riggs, Abney, Neal, et al.
502 West Sixth Street
Tulsa, OK 74119-1010

Mr. Louis W. Bullock
Miller, Keffer & Bullock, PC
222 S. Kenosha Avenue
Tulsa, OK 74120

Re: State of Oklahoma v. Tyson, et al.
Case No. 05-CV-0329 GKF-SAJ

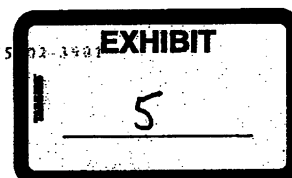
Dear Messrs. Garren and Bullock:

This letter responds to your communication of August 7th. I believe that you have misunderstood the purpose of my August 6th letter. Our intent in sending that letter was not to suggest that we will not be producing a witness unless the State agrees to our limitations. Rather, our purpose in sending the letter was to acknowledge the disagreements that exist between us as to the permissible scope of inquiry for the deposition and to describe the manner in which the Cargill Defendants will proceed with the 30(b)(6) deposition and prepare their witnesses.

We anticipate that the parties will continue to disagree on scope. However, we believe the most reasonable path forward is to conduct the depositions and address the permissible scope of inquiry and responsiveness of answers at that time. Indeed, this appears to be the very process in which the State has engaged with regard to the 30(b)(6) depositions of other Defendants.

Thus, from our perspective, the only remaining issue is whether the State wishes to proceed with the depositions before or after the Cargill Defendants have completed their supplemental production. This is not an area upon which we need to agree, as it is ultimately Plaintiffs' choice. Our position is merely that, should the State proceed prior to the

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completion of the Cargill Defendants' document production, we will oppose any subsequent effort to re-depose our designees on that basis.

Assuming the State still wishes to conduct the 30(b)(6) deposition of the Cargill Defendants prior to completion of their document production, the Cargill Defendants will produce their designee(s) by September 14th. As soon as we have confirmed available dates for the designee(s), we will let you know. However, if you are already aware of dates which will definitely not work for the State, it will obviously hasten our efforts to confirm dates if we have that information as soon as possible.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. Mann', written over a horizontal line.

Dara D. Mann

MANDD

cc: John Tucker (via email)
Theresa Hill (via email)

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